

DENNIS J. HERRERA, State Bar #139669  
City Attorney  
ELIZABETH SALVESON, State Bar #83788  
Chief Labor Team  
MARGARET W. BAUMGARTNER, State Bar #151762  
ADELMISE WARNER, State Bar #215385  
Deputy City Attorneys  
Fox Plaza  
1390 Market Street, Floor No. 5  
San Francisco, California 94102-5408  
Telephone: (415) 554-3930  
Facsimile: (415) 554-4248

Attorneys For Defendant  
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLIFFORD COOK,

Plaintiff,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, ANTONIO FLORES,  
DON SLOAN, MARSHA ASHE, and  
DOES 1-50, inclusive,

Defendants.

Case No. C 07-2569 CRB

**STIPULATION AND [PROPOSED]  
ORDER TO RESET DATE FOR  
HEARING ON DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

Prior Date: May 2, 2008

Proposed Date: May 9, 2008

Trial Date: None set

Date Action Filed: May 15, 2007

On February 15, 2008, the Court granted plaintiff Clifford Cook's motion to continue pursuant to Federal Rule of Civil Procedure 56(f). The Court vacated the previously scheduled hearing date on the City's motion for partial summary judgment of February 22, 2008, and rescheduled the date to May 2, 2008.

Counsel for defendants has a pre-planned vacation scheduled for that date, and will be out of town. Other counsel assigned to this case will not yet have returned from leave. Defendants therefore request that the hearing date be moved to Friday, May 9, 2008. Counsel for plaintiff agrees to moving the hearing date, and also moving the dates for filing of the briefs by one week, to April 18 for plaintiff's supplemental opposition, and to April 25 for defendants' supplemental opposition.

SO STIPULATED.

Dated: February 21, 2008

Respectfully submitted,

DENNIS J. HERRERA  
City Attorney  
ELIZABETH S. SALVESON  
Chief Labor Attorney  
MARGARET W. BAUMGARTNER  
ADELMISE ROSEMÉ WARNER  
Deputy City Attorneys

By: \_\_\_\_\_/s/\_\_\_\_\_  
MARGARET W. BAUMGARTNER

Attorneys for Defendant  
CITY AND COUNTY OF SAN FRANCISCO

Dated: February 21, 2008

THE SCOTT LAW FIRM

By: \_\_\_\_\_/s/\_\_\_\_\_  
JOHN H. SCOTT

Attorney for Plaintiff  
CLIFFORD COOK

**[PROPOSED] ORDER**

**GOOD CAUSE APPEARING, THE COURT HEREBY ORDERS AS FOLLOWS:**

1. The May 2, 2008 hearing date for defendants' motion for summary judgment is hereby continued to May 9, 2008, at 10:00 a.m.

2. Plaintiff's supplemental opposition papers shall be due April 18, 2008, and defendants' supplemental opposition shall be due April 25, 2008.

SO ORDERED.

Dated:

---

HON. CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE